

**MARICOPA COUNTY BOARD OF HEALTH**  
**Meeting Minutes**  
**Administration Building**  
**301 W. Jefferson Street, 10<sup>th</sup> Floor, Phoenix, Arizona 85003**  
**Board of Supervisors Conference Room**  
**April 27, 2009**

Ms. Adamic called the meeting to order with a quorum present.

**ROLL CALL:**

**Members Present:**

Audrey Adamic  
Susanne Cook, RN, PhD  
Zuhdi Jasser, M.D.\*  
Michael Kearns  
Shannon Smith  
Mike Snitz  
Brian Spicker  
Pam Wight

**Members Excused:**

Don Cassano  
Maricopa County Supervisor Kunasek, District 3

Ex-Officio: Bob England, M.D.

*(\* Denotes members arriving after Roll Call)*

**CALL TO THE PUBLIC:**

Ms. Adamic advised that if anyone from the public is present at the meeting today who would like an opportunity to speak, a Speaker Request Form is available and must be filled out prior to addressing the Board of Health. The Board of Health cannot take action on but only discuss questions from the public under the Call to the Public section.

**DISCUSSION/ACTION ITEMS:**

**1. Approval of the March 23, 2009 BOH Minutes: -Ms. Adamic**

*Pam .Wight made the motion to approve the March 23<sup>rd</sup>, 2009 BOH minutes. Dr. Cook seconded the motion.*

*Ms. Adamic would like to reflect the following corrections in the minutes – Ms. Adamic should replace Dr. Adamic, waves should replace waives and Mr. Spicker should replace Dr. Spicker as well as Mr. Spicker was present at the meeting and not excused.*

*The motion passed with a 6 to 0 vote.*

**2. Approval of the Findings of Fact, Conclusions of Law and Order of -Mr. Ballengee  
Alan Goff case (Cause #268990)**

*Shannon Smith made the motion to approve the findings of fact, conclusions of law and order of the Alan Goff case. Mr. Spicker seconded the motion. The motion passed with a 7 to 0 vote.*

**3. Pool Abatement Assessment Appeal Hearing -Ms. Ballengee**

*Ms. Gertsen (property owner) contacted Ms. Ballengee at 8:30 am to advise that she would not be able to make the hearing today and requested that the hearing be postponed until next month. The board can make the decision on whether they would allow a continuance or not. Ms. Gertsen (property owner) informed Ms. Ballengee that she would not be able to take off of work.*

*The only impact that granting a continuance would have on the department would not be able to proceed with the actual recording of the lien against the property. The abatement has been completed.*

*Shannon Smith made the motion to allow one continuance for property owner Shirley Gertsen to appear before the board regarding the pool abatement appeal at the next scheduled BOH meeting. Michael Kearns seconded the motion. The motion passed with an 8 to 0 vote.*

**(At this time Dr. Bob England went before the board to give his public health report – particularly relating to the swine flu pandemic)**

## **DISCUSSION ITEMS**

### **1. Public Health Report**

**-Dr. England**

**Dr. Bob England presented the following matters to the Board.**

*Pandemic flu planning has gone on for years in this community and across the country. . Pandemics are inevitable. They will pop up from time to time. The flu virus is unusual in that its RNA (genetic code) exist in pockets so that when one animal gets infected with two different strains you get a mix and matching and this is how you come up with brand new viruses like the one we are dealing with right now. News on this only began to come out Thursday night in Mexico. All of us in the United States found out about this Friday morning. We are up to 40 cases identified in the US. All of them have been mild. When you see numbers like this growing dramatically don't assume that that has anything to do with spread. Once the first cases were identified in Mexico we all ramped up our surveillance. We are all looking much harder to find cases. We will find a lot of cases in this country. I am almost sure that there are some cases here already. It does appear to spread readily from person to person but we don't have great data yet on how readily. We also don't have a clear picture on how sick it makes people and that's what makes all the difference.*

*We have very different reports that are coming out of Mexico. We don't have good data, numbers having been changed. Worst case scenario has up to about 1,000 people hospitalized in Mexico City with pneumonia and we are told that pneumonia is occurring in young, previously healthy adults. So, right now we really don't know much. We have communicated with our staff which is what the attached email says. The federal government has responded by forwarding us 1/4 of our cash from the strategic national stockpile. At this point, no cases in Arizona that we know of but I am pretty sure we will probably start seeing cases develop in Arizona.*

*What about those people who travel back and forth (for instance migrant workers)? – There are no travel restrictions or advisories out from the federal government as of yet. They were considering a travel advisory but not at this point. Presumably people who go back and forth all the time would be exposing themselves to risk and those with immediate contact to them. In the long run, if this transmits the way it seems to be it will look just like the regular flu and all the talk about travel history is going to be irrelevant because it will be all over the place.*

*Can a doctor tell if you go in with flu symptoms? – No, there is rapid testing of different types that may be able to show this influenza. Some of the testing may not pick up this influenza because it is different enough that we are told to expect some false negatives on the testing. Unfortunately, we are not completely out of our regular influenza season so it still may be hard to detect. The definition of influenza like illness is so broad that you catch stuff in it that isn't even flu.*

*What is the talk about it having three different genetic components? – It has 4 different genetic components. The difference that this flu brings is how much this is transmitting from one person to another. There are pieces of RNA that they can recognize from 4 strains that they have found before. There is a Eurasian pig strain, one is a North American pig strain, there is an Avian flu string and a bit of human flu virus DNA in it.*

*Do you see a dramatic budget impact? – We have already had a national declaration state of emergency. This may freeze up some funding. It depends on how bad this gets. I need more FTEs to deal with this right now. Right now we don't have a specific funding source for this issue. Any funding for this from general fund would have to be approved by OMB and Board of Supervisors. In the next few days, we will get much better information out of Mexico and the epidemiology will be much clearer.*

*Does an emergency health fund still exist (from the governor's office)? – Not sure, it was not much money*

*Can you define pandemic? – Pandemic is just a word for an epidemic that gets all around the globe and affects essentially most of the globe. HIV is a pandemic.*

*Do we have the some sort of vehicle that can distribute the same information to school districts so that they have the same message? Yes, we do. They are one of the partners we are sending information to today. Most of what I am sending is general information and referring people to sites because every couple of hours things are changing.*

*I hope to have more information and more answers by the next time we meet.*

#### **DISCUSSION/ACTION ITEMS (continued)**

##### **4. Fee Waivers (33 fee waiver applications)**

**- Ms. Minichiello**

*Mr. Snitz wanted Ms. Minichiello to discuss where we are year to date and how that is calculated so it gives some sort of idea how many fee waivers have been waived year to date and the overall impact that it has had. Ms. Minichiello did a calculation on the revenues fiscal year 2009 year to date and the expenditures as well as the fee waiver figures. In addition, the 2008 figures are listed.*

*Mr. Snitz asked the question if the fee waiver revenue was .13% of the total revenue year to date. There is no year to date variance of how we budget that currently for the fee waivers in the budget process. Ms. Minichiello answered saying that it is built in to the fees that we charge so that when we go ahead and conduct a fee study the fees are adjusted according to those who do pay and those who do not pay carry the burden for those who don't pay.*

*Mr. Snitz explained that his main concern is when looking at the budget, we are ahead of budget based on revenue cutting and not spending money but there are actually services and FTEs that we have been cutting so there are less services being provided. So, our financials look good but they don't really tell the whole story. So, my question is, can we have for the next budget process a number in the budget for fee waivers that you anticipate doing on an annual basis and a variance to that fee waiver so if you are going to give out \$50,000 in fee waivers and your revenue is going down based on the applications from the general public. How are we to know if it is being spread across the board equally? These aren't huge amounts of money that we are talking about when waiving fees but it seems that since I have been on the board no one has a good handle on this whole process and what the impact these fee waivers are doing.*

*Mr. Power with environmental services spoke saying that some time back the fee waivers were set at 10% and then increased to 100% and so we had a lot of appeals from the public saying that they were not going to pay the fee waivers so the director of public health back then suggested this way of waiving fees. It is not mandated that we approve any fee waiver. It was only a requirement that we have the option available but there is not a mandate to approve any of the fee waivers.*

*Mr. Spicker noted that these are all basic needs for each of these organizations.*

*Mr. Kearns wanted to know if environmental health spends general fund money for these fee waivers. Mr. Power said no, we spend 506 money (permit fee) money. How is the director's salary paid? Mr. Power said that it is split funded and he would have to find out what the percentage of it would be. Mr. Kearns said if there is any general fund money that is being directed toward this, we want to free that money up so that it can be given to something that we all feel is important. Mr. Kearns voiced his opinion about how since being on the board; we have approved many fee waivers that have no direct influence on public health.*

*Mr. Luder did say that they would be able to provide a variance year to date of what is being expended on fee waivers like every quarter.*

*Dr. Cook wanted to know about the variance in charges? Is it due to the time or type of inspection? Ms. Minichiello said yes that it is determined by time or type.*

*Dr. Jasser said we can't be bias since there is no system set up in place to approve not approve would be creating a bias because we would be only going by gut instinct on whether we approve or disapprove a waiver.*

*Ms. Mangiapane did say that if there were a majority of the board members who would like to maybe go further in to detail about fee waivers that a sub committee could be formed.*

*Mr. Spicker made the motion to accept all fee waivers with the exception of Teen Challenge. Pam Wight seconded the motion. The motion passed with a 6-2 vote.*

*Shannon Smith made the motion to decline the fee waiver for Teen Challenge. Pam Wight seconded the motion. The motion passed with an 8 to 0 vote.*

## **5. Water and Waste Presentation**

**- Ms. Upton**

*Ms. Upton presented a short but thorough presentation on water and waste, compliance and how citations are processed. The power point presentation was provided at the meeting and can be provided upon request.*

## **6. Air Quality**

**- Board Members**

*Board members determined that they will discuss this at the BOH retreat or at a future meeting.*

## **Announcements and Current Events**

**- Board Members**

*No announcements or current events discussed*

## **Adjournment**

*Mr. Snitz made the motion to adjourn the meeting. Mr. Kearns seconded the motion. The motion was passed with an 8 to 0 vote.*